PTO/SB/21 (08-00) Approved for use through 10/31/2002. OMB 0651-0031
U.S. Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE Sersons are required to respond to a collection of information unless it displays a valid OMB control number. Under the Paperwork Reduction Act of 1995, no Applicati n Number 09/778,224 TRANSMITTAL Filing Date February 6, 2001 **FORM** Samuel A. Marquiss First Named Inventor (to be used for all correspondence after initial filing) Group Art Unit 1764 **Examiner Name** Attorney Docket Number | LJL 34602 4 Total Number of Pages in This Submission **ENCLOSURES** (check all that apply) After Allowance Communication Assignment Papers Fee Transmittal Form (for an Application) to Group Appeal Communication to Board Fee Attached Drawing(s) of Appeals and Interferences Licensing-related Papers Appeal Communication to Group Amendment / Reply (Appeal Notice, Brief, Reply Brief) Petition After Final Proprietary Information Petition to Convert to a Affidavits/declaration(s) **Provisional Application** Status Letter Power of Attorney, Revocation Change of Correspondence Other Enclosure(s) (please **Extension of Time Request** Address identify below): Terminal Disclaimer \* Form PTO-1449 (1 page) Express Abandonment Request Request for Refund \* 3 References (U.S., Foreign, Other) Information Disclosure Statement CD, Number of CD(s) (Second Supplemental) Certified Copy of Priority Document(s) Remarks Response to Missing Parts/ Incomplete Application Response to Missing Parts under 37 CFR 1.52 or 1.53 SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT James R. Abney, Esq. Individual name Kolisch Hartwell Dickinson McCormack & Heuser Signature July 29, 2002 Date CERTIFICATE OF MAILING I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, Washington, DC 20231 on this date: July 29, 2002 Renee L. Knight Typed or printed name Signature July 29, 2002

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Date

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:

SAMUEL A. MARQUISS, CHRISTOPHER S. CESAR, JON F. PETERSEN, DAVID P. STUMBO, AMER EL-HAGE, GLENN R. EDWARDS, DOUGLAS N. MODLIN, LEY J. LEYTES, and SAMUEL BYRD

Date: July 29, 2002

Serial No.

09/778,224

Group Art Unit 1764

Filed

February 6, 2001

For

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Assistant Commissioner for Patents Washington, D.C. 20231

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Sir:

## SECOND SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT UNDER 37 C.F.R. §§ 1.56, 1.97, and 1.98

Applicants are submitting this Second Supplemental Information Disclosure Statement pursuant to 37 C.F.R. §§ 1.56, 1.97, and 1.98 to disclose to the Patent Office the patents and/or other publications listed on the enclosed, completed PTO-1449 form(s). The filing of this Second Supplemental Information Disclosure Statement should not be construed as a representation that a search has been made or as an admission that the listed references are prior art for this application. Applicants respectfully request that the listed references be expressly considered during prosecution of the application, and that the references be made of record therein and appear among the "references cited" on any patents issuing therefrom.

## CONTENT OF DISCLOSURE

This Second Supplemental Information Disclosure Statement includes (1) one page of PTO-1449 forms, and (2) a legible copy of each reference listed on the form(s).

## TIMING OF DISCLOSURE / CERTIFICATION / PAYMENT INFORMATION

This Second Supplemental Information Disclosure Statement is being filed, to the best of the undersigned's knowledge, before the mailing of a first Office action on the merits. Moreover, the undersigned certifies that each item of information contained in this Second Supplemental Information Disclosure Statement was first cited in a communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of this Second Supplemental Information Disclosure Statement. Therefore, in accordance with 37 C.F.R. § 1.97(b) and/or (c), no fee is required.

Please contact the undersigned attorney with any questions or comments regarding this Second Supplemental Information Disclosure Statement.

## **CERTIFICATE OF MAILING**

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Assistant Commissioner for Patents, Washington, D.C. 20231, on July 29, 2002.

Renee Knight

23581

PATENT TRADEMARK OFFICE

Respectfully submitted,

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